

FILED  
Clerk  
District Court

APR 24 2008

UNITED STATES DISTRICT COURT For The Northern Mariana Islands  
NORTHERN MARIANA ISLANDS By \_\_\_\_\_  
(Deputy Clerk)

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHO, IL and  
JO, MIN,

Defendants.

Criminal Case No. **08 - 00015**

**INDICTMENT**

Title 18, U.S.C. § 371--Conspiracy (Ct. 1);  
Title 17, U.S.C. § 506(a)(1) and Title 18,  
U.S.C. § 2319(a)--Copyright Infringement  
(Ct. 2); Title 18, U.S.C. § 2318--Trafficking in  
Counterfeit Labels (Ct. 3).

THE GRAND JURY CHARGES THAT:

**COUNT ONE**

**CONSPIRACY TO COMMIT COPYRIGHT INFRINGEMENT**

**The Scheme**

1. From on or about September 28, 2007, and continuing thereafter to on or about March 26, 2008, in the District of the Northern Mariana Islands and elsewhere, the Defendants, CHO, IL and JO, MIN, did willfully and knowingly conspire and agree with each other, and with other persons both known and unknown to the Grand Jury, to commit an offense against the United States, that is, to willfully and for the purpose of commercial advantage and private financial gain, infringe the copyright of one or more copyrighted works, to wit, by reproducing and by distributing during a 180-day period, at least ten unauthorized copies of one or more copyrighted works, having a retail value of more than \$2,500, in violation of Title 18, United States Code, Section 371.

Participants

2. At all times relevant to this Indictment, Dreams, Inc. was a company organized and incorporated in the Commonwealth of the Northern Mariana Islands. Dreams, Inc. conducted business under the name "Seoul Video", which operated a movie rental business on the island of Saipan, Commonwealth of the Northern Mariana Islands.

3. At all times relevant to this Indictment, defendant CHO, IL was a Korean citizen who served as manager of Seoul Video.

4. At all times relevant to this Indictment, defendant JO, MIN was a Korean citizen who served as manager of Seoul Video.

Manner and Means of the Conspiracy

5. The manner and means of the conspiracy, included the following:

a. In certain instances, Defendants would obtain one or more authorized copies of a copyrighted movie and then use that copy as a template to make several additional copies using duplicating equipment inside Seoul Video.

b. In other instances, Defendants would obtain one or more unauthorized copies of a copyrighted movie soon after, and sometimes before, it was released for rental. These too would be duplicated at Seoul Video.

c. Defendants would rent unauthorized copies to customers at a rate of two (2) U.S. dollars per movie or sell unauthorized copies at variable prices.

d. The unauthorized copies were made in video compact disk ("VCD"), digital versatile disk ("DVD"), and video home system ("VHS") formats.

e. The original copies were obtained from a source unknown but believed to be in the Republic of Korea.

Overt Acts

6. In furtherance of the conspiracy and to achieve the objects thereof, the Defendants committed overt acts in the District of the Northern Mariana Islands, including, but not limited to, the following:

a. On or before March 19, 2008, the Defendants made at least one unauthorized DVD copy of the movie "Juno" and rented said DVD to a customer on or about March 19, 2008.

b. On or before March 19, 2008, the Defendants made at least one unauthorized DVD copy of the movie "Bucket List" and rented said DVD to a customer on or about March 19, 2008.

c. On or before March 19, 2008, the Defendants made at least one unauthorized DVD copy of the movie "Bee Movie" and rented said DVD to a customer on or about March 19, 2008.

d. On or before March 24, 2008, the Defendants made at least one unauthorized DVD copy of the movie "I Am Legend" and distributed said DVD to a customer on or about March 24, 2008.

All in violation of Title 17, United States Code, Section 506(a)(1), Title 18, United States Code, Section 2319(a), and Title 18, United States Code, Section 371.

COUNT TWOCOPYRIGHT INFRINGEMENT

7. The Grand Jury realleges, adopts and incorporates by reference the allegations contained in the above paragraphs as if fully set forth herein.

8. From on or about September 28, 2007 continuing to on or about March 26, 2008, in the District of the Northern Mariana Islands, the Defendants, CHO, IL and JO, MIN, did willfully and for the purpose of commercial advantage and private financial gain, infringe the copyright of one or more copyrighted works, by copying and distributing unauthorized copies of copyrighted movies, including but not limited to the following:

<u>Title of Movie</u>	<u>Copies</u>
Jumper	10
Rendition	5
I Am Legend	3
Mr. Magorum's Wonder Emporium	13
Juno	2
Bucket List	1
Waterhorse	1
3:10 to Yuma	3
Rush Hour 3	4
The Queen	4
Dreamgirls	2
Rocky Balboa	2
Bee Movie	2

All in violation of Title 17, United States Code, Section 506(a)(1), and Title 18, United States Code, Section 2319(a).

**COUNT THREE**

**TRAFFICKING IN COUNTERFEIT LABELS**

9. The Grand Jury realleges, adopts and incorporates by reference the allegations contained in the above paragraphs as if fully set forth herein.

10. From on or about September 28, 2007, continuing to on or about March 26, 2008, in the District of the Northern Mariana Islands, the Defendants, CHO, IL and JO, MIN, did knowingly and willfully traffic in counterfeit labels, to wit, by making or manufacturing labels which appeared to be genuine, which were not in fact genuine, which were affixed to, or designed to be affixed to, unauthorized copies of motion pictures, including but not limited to the following:

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	<u>Title of Movie</u>	<u>Copies</u>
2	Jumper	10
3	Rendition	5
4	I Am Legend	3
5	Mr. Magorum's Wonder Emporium	13
6	Juno	2
7	Bucket List	1
8	Waterhorse	1
9	3:10 to Yuma	3
10	Rush Hour 3	4
11	The Queen	4
12	Dreamgirls	2
13	Rocky Balboa	2
14	Bee Movie	2

15 All in violation of Title 18, United States Code, Section 2318.

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17 Dated this 27<sup>th</sup> day of April 2008.

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A TRUE BILL.

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Foreperson

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LEONARDO M. RAPADAS  
United States Attorney  
Districts of Guam and NMI

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26 By:

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ERIC S. O'MALLEY  
Assistant United States Attorney